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with
fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	
)	
Paul MEERS <i>et al.</i>)	
)	
Application No.: 09/914,615)	Group Art Unit: Unassigned
(Corresponds to PCT/US00/05395))	
International Filing Date: March 1, 2000)	Examiner: Unassigned
)	
For: ENCAPSULATION OF BIOACTIVE)	
COMPLEXES IN LIPOSOMES)	

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS

BOX: MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in complete response to the Notification of Missing Requirements Under 35 U.S.C. § 371 dated October 25, 2001 . The Response is timely filed on December 26, 2001, because the due date of December 25, 2001 fell on a holiday.

The following items are submitted herewith, as required by the Notification of Missing Requirements:

- Declaration executed by the inventors; and
- \$130.00 surcharge for providing the declaration more than 30 months from the priority date.

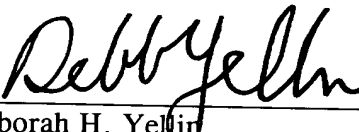
The Notification of Missing Requirements further requires a copy of the sequence listing in computer readable form, and a statement that the contents of the paper form and computer readable form are the same.

Applicants respectfully submit that a sequence listing is not required for the captioned application and thus has not been filed. Sequence listings are required under 37 C.F.R. §§ 1.821-1.825 if the disclosure contains amino acid sequences of at least four units and nucleotide sequences of at least ten units. Applicants submit that the captioned application, including specification, claims and figures, do not disclose any sequences of any type. Thus, a sequence listing is not required.

Applicants respectfully submit that all requirements have been provided.
Examination of the captioned application on the merits is respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
Deborah H. Yellin
(Registration No. 45,904)

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(703) 836-6620

Date: December 26, 2001

10075001 PCT/PTO 2'6 DEC 2001

FORM-PTO-1390
(Rev. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

03388-328

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

09/914,615

PRIORITY DATE CLAIMED
2 MARCH 1999

INTERNATIONAL APPLICATION NO.
PCT/US00/05395

INTERNATIONAL FILING DATE
1 MARCH 2000

TITLE OF INVENTION
ENCAPSULATION OF BIOACTIVE COMPLEXES IN LIPOSOMES

APPLICANT(S) FOR DO/EO/US
Paul MEERS et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

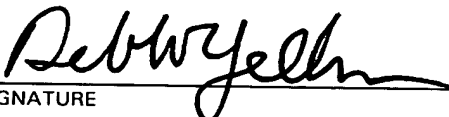
Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Reply.



21839

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 09/914,615		INTERNATIONAL APPLICATION NO. PCT/US00/05395		ATTORNEY'S DOCKET NUMBER 033388-328	
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,040.00 (960) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 (970) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 (958) International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 (956) International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 (962)					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	
Surcharge of \$130.00 (154) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). 20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$ 130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	4 -20 =	0	X\$18.00 (966)	\$	
Independent Claims	2 -3 =	0	X\$84.00 (964)	\$	
Multiple dependent claim(s) (if applicable)			+ \$280.00 (968)	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
Reduction for 1/2 for filing by small entity, if applicable (see below).				+	\$ -
SUBTOTAL =				\$ 130.00	
Processing fee of \$130.00 (156) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). 20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$	
TOTAL NATIONAL FEE =				\$ 130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (581) per property				+	\$ 40.00
TOTAL FEES ENCLOSED =				\$ 170.00	
				Amount to be refunded:	\$
				charged:	\$
a. <input type="checkbox"/> Small entity status is hereby claimed. b. <input checked="" type="checkbox"/> A check in the amount of \$ <u>170.00</u> to cover the above fees is enclosed. c. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u> . A duplicate copy of this sheet is enclosed. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: TERESA STANEK REA BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620					
			 SIGNATURE DEBORAH H. YELLIN NAME		
			45,904 REGISTRATION NUMBER		
			DECEMBER 26, 2001 DATE		

12/31/2001 MHGUYEN 00000083 09914615

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130.00 OP